

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**  
(VIA EFS-WEB)

Docket Number (Optional)  
CL2000USPCT

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed  
name \_\_\_\_\_

In re Application of  
RAJ G. RAJENDRAN

Application Number  
10/527043

Filed  
September 12, 2003

For MEMBRANES FOR FUEL CELLS

Examiner ENIN-OKUT, EDU E

Art Unit 1795

Confirmation No. 6819

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1928.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

\_\_\_\_\_  
/Brian C. Jones/  
Signature

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

\_\_\_\_\_  
BRIAN C. JONES  
Typed or printed name

☒ attorney or agent of record.  
Registration number 37,857

\_\_\_\_\_  
(302) 992-4601  
Telephone number

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

\_\_\_\_\_  
JULY 6, 2009  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

<b>PRE-APPEAL BRIEF REQUEST FOR REVIEW</b> (VIA EFS-WEB)		Docket Number (Optional) CL2000USPCT	
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		Application Number 10/527043	Filed September 12, 2003
		For	MEMBRANES FOR FUEL CELLS
		Examiner ENIN-OKUT, EDU E	
		Art Unit 1795	Confirmation No. 6819

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

With respect to the Examiner's remarks regarding methanol crossover, it is noted the Examiner is silent regarding the claimed power output, which is the opposite result than would be predicted from Banerjee. Moreover, In re Best is inapposite, and has nothing to do with a situation where operating temperatures are disclosed. In fact, Applicants have met the burden of proof called for in Best, and therefore the case supports patentability.

I am the

<input type="checkbox"/> applicant/inventor.	_____ /Brian C. Jones/ Signature
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	_____ BRIAN C. JONES Typed or printed name
<input checked="" type="checkbox"/> attorney or agent of record. Registration number 37,857	_____ (302) 992-4601 Telephone number
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____	_____ JULY 6, 2009 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

<input type="checkbox"/> *Total of _____ forms are submitted.
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